

Message Text

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64

ORIGIN EA-09

INFO OCT-01 ISO-00 EB-07 TRSE-00 DODE-00 NRC-05 NSAE-00

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P 062153Z OCT 75

FM SECSTATE WASHDC

TO AMEMBASSY CANBERRA PRIORITY

C O N F I D E N T I A L STATE 237811

E.O. 11652: GDS

TAGS: ESTC, AS

SUBJECT: TENDER FOR SHIPMENT OF TRUCKS TO NORTH VIETNAM

REFS: (A) CANBERRA 6576

(B) CANBERRA 6619

(C) STATE 232257

1. WE APPRECIATE YOUR ASSESSMENT THAT APPLICATION OF U.S. FOREIGN ASSETS AND EXPORT CONTROL REGULATIONS TO SUBSIDIARIES OF U.S. FIRMS OPERATING IN AUSTRALIA COULD BE MAJOR IRRITANT IN OUR BILATERAL RELATIONS. THIS ISSUE OF CONFLICTING JURISDICTION OVER MULTINATIONALS IS ONE TO WHICH WE HAVE BEEN PARTICULARLY SENSITIVE IN APPLYING OUR ECONOMIC CONTROLS TO THE VIETNAMS AND CAMBODIA.

2. AS REF. C STATED, UNDER PRESENT REGULATIONS ANY FIRM WHICH IS CONTROLLED BY AMERICAN INTERESTS (MANAGEMENT OR

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EQUITY) CANNOT ENGAGE IN BUSINESS TRANSACTIONS WITH NORTH

OR SOUTH VIETNAM OR CAMBODIA WITHOUT USG LICENSE. PRESENT
POLICY IS TO DENY SUCH LICENSES WITH EXCEPTION OF LIMITED
HUMANITARIAN SHIPMENTS OF A CHARITABLE NATURE WHICH ARE
REVIEWED ON A CASE BY CASE BASIS.

3. IN LIGHT OF PARAS. 1 AND 2 ABOVE, WE WOULD PREFER IF
AT ALL POSSIBLE TO AVOID HIGHLIGHTING THIS POTENTIALLY
CONTENTIOUS ISSUE WITH GOA. WE BELIEVE THIS COURSE
ESPECIALLY ADVISABLE SINCE ADDITIONAL DATA PROVIDED REF. B
MAKES IT APPEAR THAT THERE IS INDEED SOME POSSIBILITY
THAT AUSTRALIAN REQUEST COULD BE SUPPLIED FROM NON-USG
CONTROLLED SOURCES.

4. WITH RESPECT TO THE COMPANIES, WE SUGGEST THAT YOU
CONTINUE TO KEEP IN CLOSE TOUCH WITH ALL POTENTIAL U.S.
BIDDERS AND ASK THEM TO IMMEDIATELY CONTACT THE EMBASSY IF
THEY SHOULD BE AWARDED CONTRACT. U.S. COMPANIES SHOULD
NOT, HOWEVER, FROM YOUR CONVERSATIONS ASSUME THAT EVEN IF
BID FALLS TO THEM, THAT THEY READILY WILL RECEIVE USG
LICENSES TO EXPORT TO CONTROLLED AREAS. YOU CAN ASSURE
THEM, HOWEVER, THAT SHOULD THEY BE PLACED IN CONFLICTING
JURISDICTIONAL SITUATION, WE WILL MAKE EVERY EFFORT BY
CONSULTING WITH GOA TO SEE THAT COMPANIES OWN POSITION
IN AUSTRALIA IS NOT JEOPARDIZED. WE WOULD ALSO BE PLEASED
TO MEET WITH REPRESENTATIVES OF COMPANIES' U.S. HOME
OFFICES SHOULD THEY WISH TO DISCUSS THE MATTER WITH US
HERE. KISSINGER

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